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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

UNITED STATES OF AMERICA,

No. CR 08-00444 SBA

Plaintiff,

**ORDER**

v.

[Docket No. 55]

MARK A. MUNTEAN,

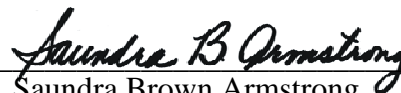
Defendant.

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Before the Court is the government's Application for Withdrawal of Exhibits [Docket No. 55]. The government requests the Court to allow it to withdraw exhibits 1 through 3, 12 and 13, 15, and 23, on the grounds they contain private tax information regarding a third party, not connected to this matter. Criminal Local Rule 2-1 provides the Court may look to the Civil Local Rules, to an extent not inconsistent with the Criminal Local Rules. Under Civil Local Rule 79-4(b)(1), once a trial has ended, a party who admitted an exhibit during trial, must remove it no earlier than 10 days after the expiration of the time for filing an appeal, if no appeal is taken. The Court, however, may allow for removal prior to the end of this 10-day period. Civ. L.R. 79-4(b). The jury acquitted defendant on all counts. The government has conceded it cannot appeal. App. at 2. Defendant has informed the Court he does not object to the government's request. The Court GRANTS the Application for Withdrawal of Exhibits [Docket No. 55].

IT IS SO ORDERED.

December 22, 2008

  
Saundra Brown Armstrong  
United States District Judge